IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THURSDAY THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MR.JUSTICE: **A.GOPAL REDDY**
CRIMINAL PETITION No.5306 of 2004

Between:
A.Prabhakar Reddy.
Petitioner

(Accused in Cr.No. 100/2004 of P.S.Nandivargam, Kurnool Dist)

AND

The Station House Officer, P.S.Nandivargam, Kurnool District, rep. by the Public Prosecutor, High Court of Andhra Pradesh. .
Respondent/ Complainant

Petition under Section 438 of Crl.P.C. praying that in the circumstances stated therewith, the High Court will be pleased to enlarge the petitioner (A-4) on bail in the event of his arrest in connection with CR.No. 100/2004 pending on the file of the P.S. Nandivargam, Kurnool District.

The Petition coming on for hearing upon perusing the petition and Grounds filed herein and upon hearing the arguments of Mr. G.Rama Sharma, Advocate for the Petitioner and of the Public Prosecutor on behalf of the Respondent.

The Court made the following **ORDER:**

" Heard the learned counsel for petitioner and the learned Additional Public Prosecutor.

Petitioner is A-4 in Cr.No.100 of 2004 registered for the alleged offences under Sections 405,408,409,415,418,420 read with Section 34 of the Indian Penal Code. As per the Remand Case Diary, A-1 and A-2 who are the Sarpanch and Secretary of the Gram Panchayat, intimated A-3 to do the works of the Gram Panchayat. A-4 is neither an elected member nor any official, but was only a member of the works committee engaged by the Gram Panchayat. As seen from the remand case diary, no role is attributed to the petitioner herein except ominibus allegations that petitioner together with other accused misappropriated the Gram Panchayat amount meant for 'Food for Work Programme'. A-1, A-5 and A-6 are already released on bail.

In view of the same, the petition is allowed and on petitioner surrendering before the Station House Officer, Nandivargam P.S., Kurnool District within two weeks and executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the S.H.O., Nandivargam P.S., he shall be enlarged on bail. On such release, petitioner shall attend the police station once in a week on every Monday between 10 A.M. and 12 P.M. till investigation is completed."

SD/- M.RIAZ AHMED
ASSISTANT REGISTRAR

// TRUE COPY //
for ASSISTANT REGISTRAR

To
1. The SHO, Nandivargam Police Station, Kurnool District.

2. Two CCs to the Public Prosecutor, High Court of A.P.Hyd(OUT)
3. One CC to Mr. G.Rama Sharma, Advocate (OPUC)
4. One spare copy.

NB:- This order is amended by substituting the name of the Police Station as “Nandivargam” in the place of “Nandavaram” in the order as well as in the cause title as per the orders of the Court in Crl.M.P.No. 7054/2004 dt. 02-12-2004 and substitute this order to the order despatched on 25-11-2004.

SD/- M.RIAZ AHMED
(ASSISTANT REGISTRAR)

SAH